

# HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

## UTILITY PATENT APPLICATION TRANSMITTAL

*Only for new nonprovisional applications under  
37 C.F.R. 1.53(b)*

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First Named Inventor or  
Application Identifier

Grigori N. Enikolopov

Express Mail Label No.

EL387776646US

Title of  
Invention

Transgenic Mice Expressing Fluorescent Protein in Multipotent Stem and Progenitor Cells

### APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

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| <p>1. <input type="checkbox"/> Fee Transmittal Form<br/><i>(Submit an original, and a duplicate for fee processing)</i></p> <p>2. <input checked="" type="checkbox"/> Specification [Total Pages <b>36</b>]<br/><i>(preferred arrangement set forth below)</i></p> <ul style="list-style-type: none"> <li>- Descriptive title of the invention</li> <li>- Cross References to Related Applications</li> <li>- Statement Regarding Fed sponsored R &amp; D</li> <li>- Reference to microfiche Appendix</li> <li>- Background of the Invention</li> <li>- Summary of the Invention</li> <li>- Brief Description of the Drawings</li> <li>- Detailed Description</li> <li>- Claim(s)</li> <li>- Abstract of the Disclosure</li> </ul> <p>3. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <b>4</b>]<br/>[ ] Formal [X] Informal</p> <p>4. <input type="checkbox"/> Oath or Declaration/POA [Total Pages [ ]]<br/>a. <input type="checkbox"/> Newly executed (original or copy)<br/>b. <input type="checkbox"/> Copy from a prior application (37 C.F.R. 1.63(d))<br/><i>(for continuation/divisional with Box 17 completed)</i><br/>[NOTE Box 5 below]<br/>i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u><br/>Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).</p> <p>5. <input type="checkbox"/> Incorporation By Reference <i>(useable if Box 4b is checked)</i><br/>The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.</p> | <p>6. <input type="checkbox"/> Microfiche Computer Program <i>(Appendix)</i></p> <p>7. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission<br/>(if applicable, all necessary)</p> <p>a. <input type="checkbox"/> Computer Readable Copy</p> <p>b. <input type="checkbox"/> Paper Copy (identical to computer copy)<br/>[ ] Pages</p> <p>c. <input type="checkbox"/> Statement verifying identity of above copies</p> |
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### ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & documents)
9. ☐ 37 C.F.R. 3.73(b) Statement [ ] Power of Attorney  
*(when there is an assignee)*
10. ☐ English Translation Document *(if applicable)*
11. ☐ Information Disclosure Statement (IDS)/PTO-1449 [ ] Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503) (2)  
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15. ☐ Certified Copy of Priority Document(s)  
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## TRANSGENIC MICE EXPRESSING FLUORESCENT PROTEIN IN MULTIPOTENT STEM AND PROGENITOR CELLS

### BACKGROUND OF THE INVENTION

It is generally believed that cells of the central nervous system (CNS) originate from the neuroectoderm in the neural plate on the dorsal side of the embryo. After the neural tube closure, cells of the neuroepithelium differentiate to form neuronal and glial cells. One characteristic of neural stem and progenitor cells is the expression of nestin, an intermediate filament protein.

Neural stem and progenitor cells are generally obtained from the developing or adult brain and cultivated in vitro as cell cultures, typically for long periods of time. Colonies that express certain markers, for example, nestin, can be identified, isolated and expanded. However, cells obtained by this procedure undergo repeated passages in culture and are no longer the originally harvested cells. Properties characterizing the original cells may be lost. For example, prolonged in vitro cultivation may result in progenitor cells which, though not yet fully differentiated into neural cells (neurons, astrocytes, oligodendrocytes, etc.) have lost the true multipotent neural stem cell character. Furthermore, the technique outlined above does not allow isolation of multipotent early progenitor cells that retain regional specificity and express markers specific for one or another region of the central nervous system, while at the same time preserving their capacity to generate differentiated cells of varied type.

Therefore, a need exists for methods to isolate stem and progenitor cells from an animal or embryo directly, without the need of prolonged in vitro cultivation.

## SUMMARY OF THE INVENTION

The invention relates to a non-human transgenic mammal, progeny or embryo thereof which has integrated into its genome DNA comprising a regulatory sequence of a mammalian nestin gene. The nestin gene is expressed in proliferating multipotent stem and progenitor cells and is downregulated once the multipotent stem and progenitor cells differentiate and lose their multipotent character. Operably linked to the regulatory sequence of the mammalian nestin gene is a gene coding for a fluorescent protein. In one embodiment, the multipotent stem and progenitor cells are neural stem and progenitor cells. In another embodiment, the fluorescent protein is selectively expressed in multipotent stem and progenitor cells. In yet another embodiment of the invention, the DNA includes a promoter, a gene coding for a fluorescent protein (e.g., green fluorescent protein) and a second intron sequence of a mammalian nestin gene, wherein the gene coding for the fluorescent protein is expressed in multipotent stem and progenitor cells of the non-human transgenic mammal, progeny or embryo thereof.

The invention further relates to a method for producing a non-human transgenic mammal expressing a fluorescent protein in multipotent stem and progenitor cells. The method comprises introducing into a fertilized egg of a non-human mammal, DNA comprising a regulatory sequence of a mammalian nestin gene operably linked to a gene coding for a fluorescent protein that is expressed in multipotent stem and progenitor cells of the non-human mammal. The fertilized egg having the DNA comprising a regulatory sequence of a mammalian nestin gene operably linked to a gene coding for a fluorescent protein is introduced into a non-human mammal of the same species which is allowed to produce progeny. The progeny are non-human transgenic mammals. The method further includes selecting from the non-human transgenic mammal progeny, obtained as described above, non-human mammal progeny whose multipotent stem and progenitor cells express the fluorescent gene.

In addition, the invention relates to an expression construct or vector comprising a promoter sequence, a gene coding for green fluorescent protein and a regulatory

sequence present in the second intron of a mammalian nestin gene. In a preferred embodiment, the promoter is a promoter of the nestin gene.

The invention further relates to a method for measuring a multipotent stem and progenitor cell population in an animal organ or region thereof. The method comprises  
5 measuring cells which fluoresce from the organ or region thereof of a non-human transgenic mammal which has integrated into its genome DNA comprising a regulatory sequence of a mammalian nestin gene operably linked to a gene coding for a fluorescent protein, wherein the gene coding for the fluorescent protein is expressed in multipotent stem and progenitor cells of the non-human transgenic mammal. Cells which fluoresce  
10 are multipotent stem and progenitor cells.

Also related to the invention is a method for obtaining primary, non-cultured, multipotent stem and progenitor cells comprising isolating cells which express a marker/reporter protein (e.g., a fluorescent protein) from a non-human transgenic mammal, progeny or embryo thereof, which has integrated into its genome DNA  
15 comprising a regulatory sequence of a mammalian nestin gene operably linked to a gene coding for the marker/reporter protein (e.g., a fluorescent protein). The gene coding for the marker/reporter protein is expressed in multipotent stem and progenitor cells of the non-human transgenic mammal, progeny or embryo thereof. In one embodiment, the multipotent stem and progenitor cells are neural stem and progenitor cells. In another  
20 embodiment, the marker/reporter protein is selectively expressed in multipotent stem and progenitor cells. In yet another embodiment, the marker/reporter protein is a fluorescent protein and fluorescent cells are isolated by fluorescent activated cell sorting.

Moreover, the invention relates to a method for assessing a compound's ability  
25 to promote multipotent stem and progenitor cell differentiation. The method comprises contacting live multipotent stem and progenitor cells capable of differentiation, which have integrated into their genome DNA comprising a regulatory sequence of a mammalian nestin gene operably linked to a gene coding for a marker/reporter protein (e.g. fluorescent protein) wherein the gene coding for the marker/reporter protein is

expressed in multipotent stem and progenitor cells, with a compound to be assessed; determining a marker/reporter protein measurement (e.g. fluorescence) of the live cells in the presence of the compound; and comparing the marker/reporter protein measurement of cells in the presence of the compound to marker/reporter protein measurement of live control cells. A decrease or absence of marker/reporter measurement of live cells in the presence of the compound compared to the the marker/reporter measurement of live control cells is indicative of the compound's ability to promote multipotent stem and progenitor cell differentiation.

Another method of the present invention is a method for assessing a compound's toxicity to multipotent stem and progenitor cells. A compound's toxicity can be assessed by its ability to kill stem and progenitor cells. The method comprises contacting live stem and progenitor cells, which have integrated into their genome DNA comprising a regulatory sequence of a mammalian nestin gene operably linked to a gene coding for a marker/reporter protein (e.g., fluorescent protein), wherein the gene coding for the marker/reporter protein is expressed in stem and progenitor cells, with a compound to be assessed. A marker/reporter protein measurement of live fluorescent cells in the presence of the compound is measured and compared to the marker/reporter protein measurement of control cells. A decrease or absence of the marker/reporter protein measurement of live cells in the presence of the compound, compared to the measurement of control cells, is indicative of the compound's toxicity to multipotent stem and progenitor cells.

Other aspects of the invention are directed to assessing a compound for its ability to promote differentiation of live totipotent stem and progenitor cells into multipotent stem and progenitor cells. In the method, live totipotent stem and progenitor cells which have integrated into their genome DNA comprising a regulatory sequence of a mammalian nestin gene, operably linked to a gene coding for a marker/reporter protein (e.g. a gene coding for a fluorescent protein), wherein the marker/reporter gene is expressed in the cells, is contacted with the compound to be assessed. A measurement of the marker/reporter protein (e.g., fluorescence) of the cells

in the presence of the compound is determined and compared to the measurement of the marker/reporter protein in control cells. An increase in measured marker/reporter protein of cells in the presence of the compound compared to the measurement of the marker/reporter protein of control cells is indicative of the differentiation of the  
5 totipotent cells into multipotent stem and progenitor cells.

Similarly, the present invention relates to a method of assessing a compound's ability to promote differentiation of multipotent stem and progenitor cells into neural cells. In this method, if the cells under investigation are multipotent stem and progenitor cells, a decrease in a measurement of a marker/reporter protein (e.g.,  
10 fluorescence) of cells in the presence of the compound compared to the the measurement of the marker/reporter protein of control cells is indicative of the compound's ability to promote differentiation of the multipotent stem and progenitor cells into neural cells.

The invention has numerous advantages. For example, by practicing the  
15 invention, intact multipotent stem and progenitor cells as well as intact neural stem and progenitor cells are obtained directly, without prolonged in vitro cultivation. The cells produced retain regional specificity while preserving their capacity to generate differentiated cells of varied types. Furthermore, the cells produced by the method of the invention can be used to assess compounds that promote differentiation and  
20 compounds that are toxic towards the cells. In addition, the method of the invention allows studying multipotent stem and progenitor cells in animal models. For instance, neural stem and progenitor cells can be monitored in vivo in order to follow the effects of compounds administered in vivo, to investigate neurogenesis in the normal brain during both embryonic and post embryonic stages, after brain injury or after  
25 transplantation experiments. Cell migration during normal organ development and after transplantation can also be detected. In addition, the invention provides methods for assessing the ability of compounds to promote differentiation of stem and progenitor cells and of neural stem and progenitor cells. Since intact cells can be isolated from specific organs or regions thereof and since the regulatory elements directing gene

expression integrated into the genome of the cells is known, cell-specific genes, proteins, surface antigens, and other cell-specific markers, potentially unique to cell subsets, can be identified.

#### BRIEF DESCRIPTION OF THE DRAWINGS

- 5           Figures 1A-1B are a diagram showing the preparation of an expression construct of one embodiment of the invention.

Figure 2 illustrates an expression construct including a nestin promoter, a gene sequence coding for green fluorescence protein and a second intron sequence of the nestin gene.

- 10           Figures 3A-3C and 3G show the fluorescent activated cell sorting (FACS) results from control cells.

Figures 3D-3F and 3H-3N show FACS of cells obtained from a non-human transgenic mammal.

#### DETAILED DESCRIPTION OF THE INVENTION

- 15           The invention is related to a non-human transgenic mammal or progeny thereof which has integrated into its genome DNA comprising a regulatory sequence of a mammalian nestin gene. Operably linked to the regulatory sequence of the mammalian nestin gene is a gene coding for a marker/reporter protein, such as, for example, a fluorescent protein. The marker/reporter protein is expressed in multipotent stem and  
20 progenitor cells of the non-human transgenic mammal, progeny or embryo thereof.

- Any suitable non-human mammal can be used to produce the non-human transgenic mammals described herein. As used herein, the term "non-human transgenic mammal" includes the newly born, young offsprings, developing adults, embryos of the non-human transgenic mammal, as well as newly born, young offsprings, developing  
25 adults or embryos of a progeny of the non-human transgenic mammal. Examples of non-human transgenic mammals and their progeny include mouse, rat, dog, monkey, as

well as any other suitable non-human mammalian species. A preferred mammal is mouse.

Generally, a stem cell is thought of as a cell with the capacity to divide asymmetrically, producing one copy of itself and one, more committed daughter cell.

- 5 Often, stem cells are thought of as undifferentiated cells with the ability to proliferate, to exhibit self-maintenance, to generate a large number of progeny and to generate new cells in response to injury or disease. Generally, a progenitor cell is a more committed cell which divides symmetrically and can be differentiated into more mature morphotypes.

- 10 As used herein, the phrase “multipotent stem and progenitor cells” are cells which express nestin. Generally, multipotent stem and progenitor cells have regional specificity and are capable, upon differentiation, of generating cell types characteristic of a certain organ or tissue present in a mammalian organism. Neural stem and progenitor cells are one example of multipotent stem and progenitor cells. Upon,  
15 differentiation, neural stem and progenitor cells give rise to neural cells, such as glial cells and neurons.

- Embryonic or totipotent precursors of multipotent stem and progenitor cells are referred to herein as “totipotent stem and progenitor cells”. Due to their totipotent character, these cells are capable of differentiating into cells characteristic of any organ  
20 or tissue in the mammalian organism. As used herein, totipotent stem and progenitor cells are precursors of multipotent cells, do not possess regional specificity and can be distinguished from multipotent stem and progenitor cells by the fact that they do not express nestin.

- Nestin is an intermediate filament protein; in particular, it defines a distinct sixth  
25 class of intermediate filament protein. Nestin is expressed, for example, in neural stem and progenitor cells. Its expression diminishes as neural stem and progenitor cells differentiate into neural cell types. In healthy mammals, fully differentiated cells of the CNS, such as neurons, astrocytes and oligodendrocytes, do not generally express nestin. However, nestin expression has been identified in some CNS tumors and after injury to



the adult spinal cord or optic nerve. In the case of injury, nestin production has been observed in reactive astrocytes and in cells close to the central canal in the spinal cord. It has been reported (C. B. Johansson et al. *Cell*, 96:25-34 (1999)) that, in adult mammals, cavity lining cells, such as ependymal cells, express nestin, in particular

5 following spinal cord injury.

Nestin expression also has been observed in multipotent stem and progenitor cells other than neural stem and progenitor cells. As reported, for example, by Kobayashi, M., et al., *Pediatr. Res.* 43(3): 386-392 (1998), nestin is expressed in muscle precursors; however, mature muscle cells do not express nestin (Zimmerman, L., et al.,

10 *Neuron (US)*, 12(1):11-24 (1994). Nestin expression has also been linked to developing organs such as, for example, the liver (Niki, T., et al., *Hepatology* 29(2): 520-527 (1999)), tooth (Terling, C., et al., *Int. J. Dev Biol* 39(6): 947-956 (1995), and heart (Kachinsky, A.M., et al., *J. Histochem Cytochem* 43(8): 843-847 (1995). In addition, nestin expression can occur in multipotent stem and progenitor cells of the pancreas,

15 intestinal tract, and retina.

A variety of nestin genes or sequences thereof can be used in the compositions and methods of the present invention. Examples of suitable mammalian nestin genes include rat nestin gene, human nestin gene, mouse nestin gene and nestin genes specific to any other mammalian species. In a preferred embodiment of the invention, the

20 mammalian nestin gene is rat nestin gene.

Nestin genes of mammalian origin have been isolated and sequenced. For example, nucleotide sequences of rat and human nestin genes and deduced amino acid sequences of the corresponding nestin proteins are disclosed in U.S. Patent No. 5,338,839 issued on August 16, 1994 to McKay, et al., which is incorporated herein by

25 reference in its entirety. Regulatory elements of the nestin gene, e.g., rat, are discussed, for example, in Zimmerman, L. et al., *Neuron*, 12: 11-24 (1994), which is incorporated herein by reference in its entirety.

As used herein, "a regulatory sequence of a mammalian nestin gene" includes one or more regulatory sequences of the nestin gene which, when operably linked to a

gene encoding a protein, expresses the protein in multipotent stem and progenitor cells. In one embodiment of the invention, the non-human transgenic mammal or progeny thereof has integrated into its genome DNA including a regulatory sequence of a mammalian nestin gene wherein the regulatory sequence is such that the marker/reporter protein is expressed in multipotent stem and progenitor cells. In another embodiment of the invention, the regulatory sequence is such that the marker/reporter protein is selectively expressed in multipotent stem and progenitor cells (e.g., the central nervous system). In yet another embodiment, the regulatory sequence selectively expresses in neural stem and progenitor cells.

10 In a preferred embodiment, the regulatory sequence includes the entire second intron sequence of the mammalian nestin gene. Shorter sequences of the second intron also can be employed. Examples of suitable shorter sequences which can be employed are known in the art. For example, in *European Journal of Neuroscience*, 9: 452-462 (1997), hereby incorporated by reference in its entirety, Lothian and Lendahl, showed  
15 that transgenic mice generated with the most conserved 714 bp in the 3' portion of the second human intron or with the complete, 1852 bp, human intron gave very similar nestin-like expression pattern and concluded that the important control elements reside in the 714 bp element. In *Experimental Cell Research (United States)*, 248 (2): 509-519 (1999), hereby incorporated by reference in its entirety, Lothian, *et al.* showed that a  
20 374-bp region in the second intron of the human nestin gene is sufficient and a 120-bp sequence in this region is required for the expression of the nestin gene in neural cells of the embryonic CNS.

Optionally, the regulatory sequence can further include elements present in the first intron of the mammalian nestin gene. The entire sequence of the first intron or  
25 shorter sequences thereof can be employed. As discussed by Zimmerman, *et al.* in *Neuron*, 12: 11-24 (1994), hereby incorporated by reference in its entirety, independent and cell-type specific elements in the first and second introns of the nestin gene direct reporter gene expression to the developing muscle and neural precursors, respectively.

The regulatory sequence of a mammalian nestin gene, as defined herein, can include any suitable promoter. In one embodiment, the promoter can be a nestin promoter. In a preferred embodiment, the nestin promoter is obtained from the same mammalian nestin gene as the regulatory sequence. Suitable promoters also include  
5 promoter sequences which are functional in mammalian cells, yeast, bacteria and insect cells. Examples of suitable promoter include but are not limited to, polyhedrin, 3-phosphoglycerate kinase, metallothionein, retroviral LTR, SV40 and TK promoters and others known in the art.

In the compositions and methods of the present invention, the regulatory  
10 sequence of a mammalian nestin gene, as defined above, is operably linked to a gene coding for a marker/reporter protein. The gene coding for the marker/reporter protein is expressed in multipotent stem and progenitor cells of the non-human transgenic mammal, progeny or embryo thereof. In one embodiment of the invention, the marker/reporter protein is selectively expressed in multipotent stem and progenitor  
15 cells. As used herein, the term "selectively expressed" means that the marker/reporter protein is expressed to a detectable level predominantly in multipotent stem and progenitor cells. In another embodiment, the marker/reporter protein is expressed to a detectable level in neural stem and progenitor cells. In yet another embodiment, the marker/reporter protein is selectively expressed in neural stem and progenitor cells.

20 Marker/reporter proteins for use in the composition and methods of the present invention are known to those of skill in the art. Marker/reporter proteins for which there are convenient and simple assay methods are preferred. Examples include, but are not limited to, luminescent proteins, fluorescent proteins, enzymes, cell surface proteins and other proteins known in the art.

25 A preferred marker/reporter protein which can be employed is a fluorescent protein. Examples of suitable fluorescent proteins include, but are not limited to green fluorescent protein (GFP), modified or enhanced green fluorescent protein (EGFP), yellow fluorescent protein, cyan FP, blue FP, red FP and their enhanced versions (Clontech) and any other luminescent or fluorescent protein that can emit light. In a

preferred embodiment, the marker/reporter protein is a fluorescent protein such as green fluorescent protein (GFP). In another, the GFP is modified for enhanced fluorescence. GFP as well as mutants of GFP are known to those skilled in the art. For example, proteins exhibiting green fluorescence are described in U.S. Patent No. 5,491,084 and in  
5 U.S. Patent No. 5,804,387, which are incorporated herein by reference in their entirety. In still another embodiment of the invention, the fluorescent protein modified for enhanced fluorescence is EGFP (enhanced green fluorescent protein) which can be obtained from the pEGFP-N1 plasmid supplied by Clontech. Briefly, the plasmid included 190 silent base changes from human codon preferences; there was a  
10 conversion of the ATG codon for better Kozak consensus and amino acid substitutions: Phe64-Leu and Ser65-Thr.

The invention is also related to a method for producing a non-human transgenic mammal which expresses a fluorescent protein in multipotent stem and progenitor cells, comprising introducing into a fertilized egg of a non-human mammal, DNA comprising  
15 a regulatory sequence of a mammalian nestin gene, as defined above, operably linked to a gene coding for a fluorescent protein, such as described above, that is expressed in multipotent stem and progenitor cells of the non-human mammal. The fertilized egg is introduced into a non-human mammal, preferably of the same species, which is allowed to produce progeny which are non-human transgenic mammal progeny. The method  
20 also comprises selecting from the non-human transgenic mammal progeny those progeny whose multipotent stem and progenitor cells express the fluorescent gene. In one embodiment of the invention, the method comprises selecting from the non-human transgenic mammal progeny those progeny whose neural stem and progenitor cells express the fluorescent gene. Genes expressing GFP or GFP modified for enhanced  
25 fluorescence, e.g., EGFP, are preferred.

Another aspect of the invention is related to a non-human transgenic mammal which expresses a fluorescent protein in stem and progenitor cells produced by a method comprising introducing into a fertilized egg of a non-human mammal, DNA comprising a regulatory sequence of a mammalian nestin gene, as defined above,

operably linked to a gene coding for a fluorescent protein, such as described above, that is expressed in stem and progenitor cells of the non-human mammal; by introducing the fertilized egg into a non-human mammal, preferably of the same species, which is allowed to produce progeny which are non-human transgenic mammal progeny and by  
5 selecting from the non-human transgenic mammal progeny those progeny whose stem and progenitor cells express the fluorescent gene. In one embodiment of the invention, the non-human transgenic mammal progeny selected are those progeny whose neural stem and progenitor cells express the fluorescent gene.

In a preferred embodiment, the DNA comprising a regulatory sequence of a  
10 mammalian nestin gene operably linked to a fluorescent protein is an expression construct or vector which comprises a promoter sequence, preferably a promoter sequence of a mammalian nestin gene, a gene coding for green fluorescent protein and a regulatory sequence present in the second intron of a nestin gene. An example of such a construct, methods for producing as well as methods for introducing the construct into  
15 the fertilized egg of the non-human mammal are further described below.

The invention is also related to assessing the presence of multipotent stem and progenitor cells in the organism, organs or a region thereof of the non-human transgenic mammal, in its progeny or in the non-human transgenic embryo of the invention. In a preferred embodiment, the non-human transgenic mammal employed has integrated into  
20 its genome DNA comprising a regulatory sequence of the mammalian nestin gene operably linked to a gene coding for a fluorescent protein. Populations of multipotent stem and progenitor cells can be assessed by viewing or measuring fluorescence from an organ or region thereof of the non-human transgenic mammal, progeny or embryo thereof. The presence of fluorescent cells also can be assessed in organs subjected to trauma,  
25 during tissue or organ regeneration, during various treatments, before and after transplantation, and during various stages of development in the presence or absence of various environmental factors or stimuli. In vivo effects of compounds administered to animal models and affecting multipotent stem and progenitor cells can be evaluated by using the non-human transgenic mammal of the invention and by measuring the

fluorescence of an organ or region thereof and comparing it to the fluorescence of the organ or region thereof in control animals.

Another aspect of the invention is also related to a method for obtaining or isolating primary, non-cultured multipotent (e.g., neural) stem and progenitor cells.

5 Such cells are also referred to herein as intact, fresh, or simply primary multipotent stem and progenitor cells. Such cells are obtained from a non-human transgenic mammal of the invention, from a progeny thereof or from a non-human transgenic mammalian embryo, directly, without culture passages. The use of these terms, however, is not intended to preclude the possibility of in vitro studies of such fresh, intact or primary  
10 cells. Accordingly, once obtained from the non-human transgenic mammal or progeny thereof, the primary multipotent stem and progenitor cells isolated according to the method of the invention can be further cultivated in vitro using techniques known by those skilled in the art.

A method of obtaining live primary multipotent stem and progenitor cells  
15 comprises isolating cells which express the marker/reporter protein defined above from a non-human transgenic mammal, progeny or embryo thereof which has integrated into its genome DNA comprising a regulatory sequence of a mammalian nestin gene operably linked to a gene coding for a marker/reporter protein wherein the gene coding for the marker/reporter protein is expressed in multipotent stem and progenitor cells of  
20 the non-human transgenic mammal, progeny or embryo thereof. Another method of obtaining live primary multipotent stem and progenitor cells comprises isolating fluorescent cells from a non-human transgenic mammal, progeny or embryo thereof which has integrated into its genome DNA comprising a regulatory sequence of a mammalian nestin gene operably linked to a gene coding for a fluorescent protein  
25 wherein the gene coding for the fluorescent protein is expressed in multipotent stem and progenitor cells of the non-human transgenic mammal, progeny or embryo thereof.

Multipotent stem and progenitor cells present in organs or regions thereof can be isolated by the compositions and methods of the invention. In a preferred embodiment, the isolated cells are neural stem and progenitor cells. Multipotent stem and progenitor

cells present in other organs and expressing nestin, for example muscle precursor cells, can also be purified (e.g., highly enriched).

In a preferred embodiment, cells expressing a fluorescent protein can be isolated using fluorescent activated cell sorting (FACS). With proteins modified for enhanced  
5 fluorescence, the brightness of the transgene-expressing cells is very high and FACS proves to be a quick and efficient procedure. FACS techniques are known to those skilled in the art. The use of FACS for sorting cells is discussed, for example, in U.S. Patent No. 5,804,387. In a preferred embodiment, the fluorescent protein is green  
10 fluorescent protein enhanced for fluorescence and identified as EGFP. Primary, non-cultured EGFP expressing cells can be isolated from the intact organism by FACS in less than an hour, typically in 10 to 30 minutes.

Other methods can be employed in obtaining or isolating cells which have integrated in their genome DNA comprising a regulatory sequence of a mammalian nestin gene operably linked to a marker/reporter protein can be employed. Examples  
15 include, but are not limited to using the Herzberg B-gal substrate as described by Nolan, G. P., *et al.*, *Proc. Natl. Acad. Sci. USA* 85(8): 2603-2607 (1988) or the method described by Stemple, D.L., *et al.*, *Cell*, 71(6): 973-85 (1992).

Methods relying on the expression of a cell surface marker specific to the nestin protein could also be employed. In one embodiment of the invention, a cell surface  
20 marker, such as, for example, a receptor, can be employed as the marker/reporter protein instead of the GFP. Multipotent stem and progenitor cells can then be purified by employing fluorescence or tagged antibody techniques, such as FACS or magnetic beads bound to antibodies in conjunction with magnetic separation. Petri dishes with antibodies fixed to the surface can also be used to preferentially adhere the multipotent  
25 stem and progenitor cells to the surface of the petri dish.

Once isolated, nestin-expressing cells can be further studied and characterized by techniques known to those skilled in the art. In one embodiment of the invention, RNA and proteins are separated from isolated primary cells. Proteins specific to the

isolated cells can be identified, for example, by two dimensional electrophoresis or by isoelectrofocusing.

In another embodiment of the invention, genes characterizing the intact cells isolated as described above are identified as well. For example, this can be  
5 accomplished by versions of gene chip technology. Examples of gene chip approaches known to those skilled in the art include the Affimetrix or Synteni approaches. One procedure for identifying such genes includes preparing a catalog or library of, for example, genes, cDNA, expressed sequence tags (EST) in the isolated cells and comparing the catalog against genes expressed in non-fluorescent cells. The non-  
10 fluorescent cells may be cells that are in an earlier stage of development, (e.g., totipotent cells) than nestin-expressing cells or may be cells that have differentiated beyond the nestin-expressing stage. Similarly, the catalog can be compared to genes expressed by non-fluorescent cells in specific organs or regions thereof.

In still another embodiment of the invention, surface antigens specific to the  
15 cells isolated as described above are identified. Techniques for identifying surface cell specific surface antigens are known to those skilled in the art. These techniques include, for example, immunizing animals with the isolated cells and obtaining antibodies directed against cell specific antigens from the immunized animals.

In yet another embodiment of the invention, cells isolated according to the  
20 invention are transplanted into animals. In particular, the isolated cells can be transplanted in specific organs or regions thereof. Techniques for accomplishing the transplantation of isolated cells into an animal are known to those skilled in the art. The animal may be of the same species as the non-human transgenic mammal of the invention. Alternatively, the animal can be of a different species. Examples of animals  
25 include mouse, rat, monkey and many others.

The non-human transgenic mammal or progeny thereof described above and cells isolated according to the invention can be employed to identify compounds that affect the differentiation of totipotent and multipotent stem and progenitor cells. As used herein, the term compound includes, for example, pharmaceutical formulations



such as drugs and other biologically active compounds that may be administered in the treatment, diagnosis or prophylaxis of various medical indications or conditions. Such compounds are generally referred to herein as "therapeutic agents". Preferred therapeutic agents include growth factors and neutrophins. Other compounds which can be employed include but are not limited to: small molecules (such as organic or organometallic molecules), vitamins, proteins, peptides, polypeptides, viruses, nucleic acids, hormones (such as growth factors), enzymes (for example, nitric oxide synthase), and other biological compounds of natural or recombinant DNA origin which may be implicated in cellular development or differentiation.

- As described herein, the present invention further relates to methods of identifying whether a compound (i) promotes multipotent stem and progenitor cell differentiation; (ii) is toxic to multipotent stem and progenitor cells; (iii) promotes differentiation of totipotent to multipotent stem and progenitor cells; and (iv) promotes differentiation of multipotent stem and progenitor cells into neural cells. The methods include detecting or measuring the expression of a marker/reporter protein. Methods of detecting or measuring marker/reporter gene expression are known to those of skill in the art. Luminescence, fluorescence, enzymatic activity (e.g.  $\beta$ -gal), magnetic beads and other methods of antibody-based purification, fluorescent activated cell sorting, differential centrifugation and other assay methods, known in the art can be employed.
- A preferred marker/reporter gene is one which expresses a fluorescent protein, as described above. Fluorescence is measured by techniques and equipment known to those skilled in the art. Excitation and emission wavelengths are selected in accordance to the fluorescent marker/reporter protein used and are known in the art. In one embodiment, GFP (excitation wavelength of about 395nm and emission wavelength of about 509nm) is employed. In another embodiment, EGFP (excitation wavelength of about 488 nm and an emission wavelength is about 507nm) is employed.

Compounds screened or evaluated can be administered or delivered in vivo to the non-human transgenic mammal of the invention. The compounds can also be studied in vitro. As used herein, the phrases "contacting live multipotent stem and

progenitor cells”, “contacting live totipotent stem and progenitor cells” and “contacting live neural stem and progenitor cells” with a compound includes in vitro treatment of cells as well as in vivo administration of the compound.

5 A marker/reporter protein measurement of organs or regions thereof in animals who have received the compound in vivo can be compared to the marker/reporter protein measurement of the corresponding organs or regions thereof in control animals that have not received the compound. Another suitable method of evaluating the effects of compounds administered in vivo includes harvesting and isolating cells from a sacrificed non-human transgenic mammal who had received the compound and  
10 comparing the marker/reporter protein measurement in the isolated cells to control cells obtained from non-human transgenic mammals who have not received the compound. Compounds administered in vivo and their effects on the cells can be evaluated, for example, by observing tissue fluorescence changes or by FACS of cells harvested from the sacrificed non-human transgenic mammals.

15 Compounds can also be screened in vitro by employing cells isolated from the non-human transgenic mammal or cells (e.g., totipotent stem and progenitor cells; multipotent stems and progenitor cells) transfected with a construct comprising a promoter sequence, a gene encoding a marker/reporter protein and a regulatory sequence present in the second intron of a mammalian nestin gene by the methods  
20 described above. The cells can be contacted with a compound to be assessed and the marker/reporter protein (e.g. fluorescent protein) of the cells in the presence of the compound is measured and compared to the marker/reporter protein measured in control cells. As known by those skilled in the art, the sample of cells in the presence of the compound is matched to the control cell sample in such a manner that any difference in  
25 the marker/reporter protein measurement (e.g., fluorescence) can be attributed solely to the effect of the compound.

In one embodiment of the invention, live multipotent stem and progenitor cells which have integrated into their genome DNA comprising a regulatory sequence of a mammalian nestin gene operably linked to a gene coding for a marker/reporter protein

are contacted with a compound to be screened. In the absence of cell destruction, a decrease in the marker/reporter protein measurement (e.g., fluorescence) observed in cells exposed to the compound, compared to the measured marker/reporter protein of control cells is indicative of the compound's ability to promote (enhance, increase)

- 5 differentiation of multipotent stem and progenitor cells into cells that no longer express the nestin gene.

A compound's ability to inhibit (decrease) differentiation is indicated by a prolonged measurement of the marker/reporter protein. In the embodiment in which the marker/reporter protein employed is a fluorescent protein, decreased differentiation of  
10 multipotent stem and progenitor cells in the presence of the compound is indicated by prolonged fluorescence in cells in the presence of the compound compared to the fluorescence of control cells. In other words, cells in the presence of a compound which inhibits differentiation will fluoresce for a longer period of time than control cells.

In a preferred embodiment of the invention the isolated cells are neural stem and  
15 progenitor cells and a decrease or increase in the marker/reporter protein measurement (e.g., fluorescence) observed when these cells are exposed to the compound, compared to the marker/reporter protein measurement (e.g., fluorescence) of control cells, is indicative of the compound's ability to promote or retard differentiation of neural stem and progenitor cells into neurons and glial cells.

20 In another embodiment, cells in developmental stages that precede the expression of the nestin gene (e.g. totipotent cells) can be used to screen compounds that promote their differentiation into cells that express the nestin gene, e.g. multipotent stem and progenitor cells. For example, totipotent cell differentiation after exposure to a compound can be assessed for enhanced fluorescence or enhanced presence of another  
25 marker/reporter protein as compared to control totipotent cells which have not been contacted or exposed to the compound. In a preferred embodiment, the multipotent stem and progenitor cells include neural stem and progenitor cells.

Totipotent cells can be isolated from the non-human transgenic mammal, progeny thereof or from the non-human transgenic mammalian embryo of the invention.

Examples of techniques employed in isolating totipotent cells include: culturing ES cells, dissociating Blastocysts, FACS sorting based on totipotent specific promoter driving the expression of a fluorochrome, totipotent specific cell surface marker selection by antibody, FACS, magnetic bead, affinity columns or antibody affixed to  
5 petri dish.

As known in the art, the control totipotent cells are matched to the totipotent cells contacted with the compound in every other respect except the presence of the compound being assessed. Examples of compounds that can be screened for promoting the differentiation of totipotent cells include those described above. In a preferred  
10 embodiment, the compound to be assessed is selected from the group consisting of a growth factor, a neurotrophin and a therapeutic agent.

Compounds can also be assessed for their toxicity to multipotent stem and progenitor cells, for example to neural stem and progenitor cells. Live cells are contacted with the compound to be assessed and the marker/reporter protein  
15 measurement (e.g., fluorescence) observed from these cells is compared to the fluorescence of control cells. By itself, a decrease in the measurement (e.g., fluorescence) of cells in the presence of the compound can be indicative of both cell destruction by the compound as well as cell differentiation to cell types which no longer express nestin. In a preferred embodiment of the invention, cell destruction is measured  
20 and by an independent technique, such as known to one skilled in the art. For example, if fluorescence is employed as the marker/reporter protein measurement, a non-fluorescent technique is used to measure cell destruction. A decrease in the marker/reporter protein measurement (e.g., fluorescence), coupled with a reduction in the number of live cells in the cells contacted with a compound being assessed for  
25 toxicity, when compared to the fluorescence and the number of live control cells (not contacted with the compound) is indicative of the compounds toxicity to the multipotent stem and progenitor cells or, in a preferred embodiment, to the neural stem and progenitor cells.

The present invention is further illustrated by the following examples which are not intended to be limiting. All references cited herein are incorporated by reference in their entirety.

## EXEMPLIFICATION

### 5 Example 1

Subcloning of the nestin promoter, the poly adenylation sequence from SV40 and the second intron from the nestin gene is shown in Figures 1A and 1B and was performed as described below.

10 The SV40 splicing/polyadenylation region was removed from a plasmid bearing the nestin promoter (Zimmerman, L., *et al.*, *Neuron*, 12: 11-24 (1994)), poly A, and 2nd intron of the nestin gene, by cleavage with the XbaI and BamHI restriction enzymes, revealing a 250 nucleotide base pair band, and was ligated into the pBSM13+ vector (commercially available from Stratagene and shown in Figure 1C) which had also been cleaved by XbaI and BamHI. The XbaI site of this polyA-pBSM13+ plasmid was then  
15 blunt ended by treatment with Klenow DNA polymerase and a linker for AscI (the sequence of which is pAGGCGCGCCT) (SEQ ID. NO.: 1) was cloned into this site, reestablishing the XbaI sites on either side of the now present AscI restriction site. The second intron (1.8kb nucleotides) was digested by cutting the rat Nestin promoter/polyA/2<sup>nd</sup> intron plasmid with the restriction enzymes BamHI and SmaI, and  
20 was then ligated 3' to the poly-A-pBSM13+ plasmid which had also been cleaved using the BamHI and SmaI restriction enzymes. In order to clone the promoter sequence into the polyA/2<sup>nd</sup> intron/pBSM13+ plasmid, the HindIII site in the polyA/2<sup>nd</sup> intron/pBSM13+ plasmid was blunt ended and re-ligated, thus creating an NheI site. The nestin promoter (5.8kb nucleotides) was then digested from the rat nestin  
25 promoter/polyA/2<sup>nd</sup> intron plasmid by digesting with SpeI - SalI restriction enzymes, and was ligated to the polyA/2<sup>nd</sup> intron/pBSM13+ plasmid which had been digested with the NheI-SalI restriction enzymes, placing the nestin promoter 5' to the poly-adenylation site. The SpeI restriction site is compatible with the NheI site. In this

manner, a plasmid bearing the promoter, and 2<sup>nd</sup> intron elements of the rat nestin gene with an SV40 polyadenylation sequence placed between the two was created.

The pEGFP-N1 plasmid (Clontech) was used as the source for GFP. The plasmid codes for a mutated version of GFP which has enhanced fluorescence. In order to subclone this gene into the rat nestin promoter/polyA/2<sup>nd</sup> intron/pBSM13+ plasmid, the NotI restriction site, which is 3' to the GFP translational stop codon, was digested with the NotI restriction enzyme, blunt ended by Klenow DNA polymerase, and an AscI linker (as above) was ligated to the site. This created an AscI restriction site in place of the NotI site. The XmaI restriction site, which can be found in the polylinker which is 5' of the GFP gene, was blunt ended (as above) and religated in order to destroy the SmaI site. The EGFP was then digested with the restriction enzymes SalI and AscI creating a 780bp DNA fragment, and was ligated to the nestin promoter/EGFP/SV40 polyA/2<sup>nd</sup> Intron/pBSM13+ plasmid (which had been digested with SalI and AscI) 3' to the Nestin promoter and 5' to the polyA site.

Approximately 10 µg of the plasmid was digested with the restriction enzyme SmaI. The plasmid containing the Nestin promoter/EGFP/SV40 polyA/2<sup>nd</sup> Intron/pBSM13+, also referred to herein as "zGFP", was prepared by cesium chloride centrifugation. The complete plasmid of the nestin promoter -EGF-N1 - SV40PolyA - Nestin 2<sup>nd</sup> intron - pBSM13+ (ZGFP) is shown in Figure 2. To linearize, Sma I is cut to obtain a 8.55 kb fragment of the promoter, GFP and second intron; the 3.1 kb band is pBLUESCRIPT backbone. The DNA fragment containing the Nestin promoter-EGFP-polyA/<sup>2ND</sup> intron was purified by agarose gel.

## Example 2

The specific fragment, obtained as described in Example 1 above, was introduced into pronuclei of 500 oocytes of the C57BL/6xBALB/cBy hybrid strain. The injected oocytes were then transferred to 12 pseudo pregnant females. A total of 86 F<sub>0</sub> pups were created by this procedure.

- For the transgene detection, PCR analysis of DNA isolated from the tails was performed. The sequences of the primers used for PCR were CCTCTACAAATGTGTGATGGC (corresponding to the SV40 polyadenylation region) (SEQ ID. NO.: 2), and GCGCACCATCTTCTTCAAGGACG (corresponding to the EGFP sequence) (SEQ ID. NO.: 3). PCR was performed in 30  $\mu$ l containing 10% DMS, 2.5 mM  $MgCl_2$ , 1xPCR buffer, 0.2nM of each dNTP, 0.4  $\mu$ M of each primer and 1 u amplitaq (Boeringer Mannheim). 44 cycles of PCR with an annealing temperature of 55° (30s) and an extension temperature of 65° (1 min) were used. Under these conditions, the expected fragment of 470bp was detected in eight out of the 86 F<sub>0</sub> mice.
- 10 Of these eight transgenic mice, three were male and five were female.

### Example 3

- In order to evaluate whether the expression of EGFP in these positive transgenic mice, is spatially and temporally controlled by the Nestin promoter and 2<sup>nd</sup> intron, the three transgene positive males were subject to matings with 3-6 week old C57BL/6 females. The establishment of a copulative plug was determined to be E0.5. Embryos were processed by timing their age past the appearance of a copulative plug in the mother. Upon proper maturation, mothers were sacrificed by CO<sub>2</sub> followed by cervical dislocation. The embryos were removed and placed in 0°C PBS to wash, followed by 4% paraformaldehyde at 4° C overnight. After paraformaldehyde treatment, the embryos were either used for whole mount analysis or placed in 30% sucrose until 24 hours after the embryo had already completely submerged (typically two days). Cryostat sections were performed by embedding the embryos in O.C.T. (optimal cutting temperature) compound (obtained from VWR) followed by sectioning using a Leica Jung Frigocut 2800 E cryostat with a box temperature of -20° C and an objective temperature of -17° C. Sections were 40-60  $\mu$ m thick and were adhered to gelatin subbed slides. E10.5, E13.5, and E16.5 embryos were analyzed for fluorescence. Whole mount images were observed using a Leica MPS30 dissecting microscope, under 0.8X objective, with an attached Mercury lamp and GFP filter. Sectioned tissue was

analyzed using a Zeiss axiophot microscope with FITC filters and an attached CCD spot camera (Diagnostic Instruments); since tissues appeared much larger than the field of view of the microscope, sections were taken under a 10x magnification lens and recomposed, as mosaics, in Adobe Photoshop.

- 5           Adult brains were processed first by perfusion of 4% paraformaldehyde of the mouse. Brains were then dissected from the cranium and were further treated with 4% paraformaldehyde for 4 hours at 4° C. After fixation, brains were immersed in 30% sucrose until one day post submerging (typically three days). Sagittal cryostat sections were performed using methods as stated above, however, with a box temperature of
- 10   -30° C and an objective temperature of -27° C.

#### Example 4

- Transgenic positive males were mated with C57B6 female mice. The appearance of a copulative plug labeled the fertilized embryos of the female to be in embryonic day 0.5 of development. At 13.5 days of embryogenesis, the mother was
- 15   sacrificed and the embryos were removed. Crown to rump measurements were taken in order to show that no discrepancy existed between the development of the transgenic positive and negative littermates. No size phenotype could be found among the pups. The embryos were washed in 4°C PBS and a hand held UV light was used to determine which mice were transgenic and which were not. At this point, the entire central
- 20   nervous system is expressing high levels of GFP and transgenics can easily be determined through this UV method. The brain tissue was removed from the fetus and placed in Hank's Buffered Salt Solution (HBSS) (Gibco) 4°C to a total of 5 ml. This solution was then mixed 1:1 with a 2X trypsin solution, containing 0.25% trypsin (Gibco), 1mM EDTA (Gibco), and 1mg/ml collagenase (Gibco) all in HBSS. This
- 25   solution was incubated for 15 minutes at 37°C with agitation every three minutes. In order to quench enzymatic digestion activity, 0.1 mg/ml ovomucoid (Sigma) was added. The tissue was then triturated using a 19 then 21 gauge syringe. The cells were then pelleted 10 minutes 500rpm in a Beckman Cold Spring Harbor Laboratory-6R table top



centrifuge at 4°C. The cells were then resuspended in ice cold PBS at 1x10<sup>6</sup> cells/ml. In this way, two samples of primary cells were prepared, one taken from the brain tissue of positive nestin/GFP mice and one taken from the brain tissue of negative nestin/GFP mice. Both samples are derived from the embryos of the same mother (littermates).

5           Fluorescence activated cell sorting (FACS) was performed by the Coulter Elite ESP FACS. Cells were kept on ice in PBS except for the period while sorting and collecting, for the duration of these experiments. The cells were placed through a 70 micrometer nylon mesh to remove clumps of cells and then run through the machine. The filter used for GFP detection was the photomultiplier tube 2 (PMT2) which has a  
10           wavelength emission between 520 and 530 nm.

            FACS results are shown in Figures 3A-3N. The cells derived from the Nestin-GFP negative embryos were first analyzed by the FACS machine in order to establish the background levels of fluorescence, as well as to determine the size and shape of the cells of this neuronal population. The results are shown in Figures 3A-3C which  
15           display what non-transgenic embryonic brain cells (control cells) appeared when run through the FACS machine.

            Figure 3A displays the size (forward scatter or FS) and shape (side scatter or LS) of the cells in the population. Box A shows where the bulk of healthy, non-clumped cells was found, as determined by prior history of FACS work. Each dot signified a  
20           data point (an actual cell). Typically, points at the bottom of the FS axis represented cellular debris, while points to the extreme right on the LS axis represented clumps of cells. The box "A" enclosing 69.9% of the population of cells represented the pool of cells that were analyzed in the next data panels. Cells lying outside of this box which may have been clumps, dead or cellular debris were not included.

25           Data points shown in Figure 3B were those gated by Box "A" in the left hand panel. "Gated" means that only those cells that lie within box "A" of Figure 3A were analyzed in Figure 3B. Figure 3B shows the relative degree of GFP fluorescence (vertical axis) versus the FS or cell size (horizontal axis) of cells from gate A of Figure 3A. By placing box "C" around this population of cells, background fluorescence was

marked. Gate C was then used as a marker for background fluorescence for the rest of the experiments. Any point registering above this C gate represented a cell that had a higher fluorescence intensity than background, and therefore, was GFP positive, since GFP was the only source of fluorescence in the subsequent experiments. (There was  
5 fluorescence of non-transgenic mice outside of the box labeled "C.") Figure 3C shows the cell number on the vertical axis in comparison to the fluorescence intensity of GFP in a log scale on the horizontal axis and indicate that the population of non-transgenic cells derived from the brain showed no GFP intensity.

Figures 3D-3E show the FACS analysis of cells from transgenic littermates.

10 Typically, the pregnant mouse had about nine (9) embryos. When these embryos were removed for these experiments, the embryos that were positive for the transgene were discerned from those that were negative by using a handheld UV lamp. The positives had a characteristic fluorescent pattern through the central nervous system. Figure 3D is the same as that for the control after a similar number of cells have been analyzed  
15 (71,322). (This is shown side by side in Figures 3G and Figure 3H which illustrates that the populations of the positive and negative cells are identical in terms of forward and lateral scatter.) The Nestin GFP cells displayed an equivalent size and shape as those of their non-transgenic littermates. 70.1% of all cells were found within gate A in the transgenic tissue as compared to 69.9% of cells found in gate A for non-transgenic cells.

20 Figure 3E shows that the Nestin-GFP positive cells displayed two obvious populations, one population within gate C, thus, a population of non-GFP expressing cells (similar to the background population) and another, within gate B, displaying 100X greater fluorescence than background. Of the 71,322 cells analyzed, 41.1% had a higher fluorescent intensity than the control cells. The second population, as denoted by  
25 box "B", included 31.8% of the cells. The cells of Box "B" were sorted (or, rather, isolated) by the FACS machine.

Figure 3F displays the two peaks and shows a region of high GFP fluorescence (marked as gate D). This data demonstrated that the Nestin-2nd intron transcriptional unit was active in 39.3% of cells derived from the embryonic day 13.5 mouse brain in

this experiment. Also, of this 39.3%, 31% of the cells were 100X more fluorescent than background cells.

The next experiment used the FACS machine to purify the population of high GFP fluorescence. The cells to be sorted were gated (box B) and then sorted. The cells  
5 were sorted by both gates A and B to ensure a population of healthy, highly fluorescent single cells. The results are shown in Figures 3I-3K. As a result of the sort, cells of Gate B were enriched from about 31% of the total population to about 93.1% of the total population. The sorted cells in box B were very high expressers of the transgene.

To determine if this purity could be improved the cells were centrifuged,  
10 pelleted and resuspended in a smaller volume of PBS. This population was sorted again. The results are shown in Figures 3L-3N. 1,289 cells were analyzed and, of this group, 99.9% were in box B.

While this invention has been particularly shown and described with references  
to preferred embodiments thereof, it will be understood by those skilled in the art that  
15 various changes in form and details may be made therein without departing from the scope of the invention encompassed by the appended claims.

## CLAIMS

What is claimed is:

1. A non-human transgenic mammal, progeny or embryo thereof which has integrated into its genome DNA comprising a regulatory sequence of a mammalian nestin gene operably linked to a gene coding for a fluorescent protein wherein the gene coding for the fluorescent protein is expressed in multipotent stem and progenitor cells of the non-human transgenic mammal, progeny or embryo thereof.
2. The non-human transgenic mammal, progeny or embryo thereof of Claim 1 wherein the gene coding for the fluorescent protein is selectively expressed in multipotent stem and progenitor cells of the non-human transgenic mammal or progeny thereof.
3. The non-human transgenic mammal, progeny or embryo thereof of Claim 1 wherein the gene coding for the fluorescent protein is expressed in neural stem and progenitor cells of the non-human transgenic mammal or progeny thereof.
4. The non-human transgenic mammal, progeny or embryo thereof of Claim 1 wherein the mammal is mouse.
5. The non-human transgenic mammal, progeny or embryo thereof of Claim 1 wherein the regulatory sequence of the mammalian nestin gene is obtained from rat nestin gene.

6. The non-human transgenic mammal, progeny or embryo thereof of Claim 1 wherein the regulatory sequence includes a second intron sequence of the mammalian nestin gene.
7. The non-human transgenic mammal, progeny or embryo thereof of Claim 1 wherein the regulatory sequence includes a promoter.
8. The non-human transgenic mammal, progeny or embryo thereof of Claim 7 wherein both the promoter and the regulatory sequence are obtained from the same mammalian nestin gene.
9. A method of producing a non-human transgenic mammal which expresses a fluorescent protein in multipotent stem and progenitor cells, comprising:
  - (a) introducing into a fertilized egg of a non-human mammal, DNA comprising a regulatory sequence of a mammalian nestin gene operably linked to a gene coding for a fluorescent protein that is expressed in multipotent stem and progenitor cells of the non-human mammal;
  - (b) introducing the fertilized egg of (a) into a non-human mammal of the same species;
  - (c) allowing the non-human mammal to produce progeny which are non-human transgenic mammals; and
  - (d) selecting non-human mammal progeny of (c) whose multipotent stem and progenitor cells express the fluorescent gene.
10. The method of Claim 9 wherein the gene coding for a fluorescent protein is selectively expressed in multipotent stem and progenitor cells.
11. The method of Claim 9 wherein the gene coding for a fluorescent protein is expressed in neural stem and progenitor cells.

12. The method of Claim 9 wherein the non-human transgenic mammal is mouse.
13. The method of Claim 9 wherein the the regulatory sequence of the mammalian nestin gene is obtained from rat nestin gene.
14. The method of Claim 9 wherein the regulatory sequence comprises a second  
5 intron sequence of the mammalian nestin gene.
15. The method of Claim 14 wherein the regulatory sequence further includes a promoter.
16. The method of Claim 15 wherein both the promoter and the regulatory sequence are obtained from the same mammalian nestin gene.
- 10 17. A non-human transgenic mammal produced by the method of Claim 9.
18. An expression construct comprising a promoter sequence, a gene coding for green fluorescent protein and a regulatory sequence present in the second intron of said mammalian nestin gene.
- 15 19. A method for measuring a multipotent stem and progenitor cell population in an animal organ or region thereof, comprising:  
measuring cells which fluoresce from the organ or region thereof of a non-human transgenic mammal which has integrated into its genome DNA  
comprising:  
20 a regulatory sequence operably linked to a gene coding for a fluorescent protein, wherein the gene coding for the fluorescent protein is expressed in multipotent stem and progenitor cells of the non-human transgenic mammal, wherein the cells which fluoresce are multipotent stem and progenitor cells.

20. The method of Claim 19 wherein the gene coding for a fluorescent protein is selectively expressed in multipotent stem and progenitor cells.
21. The method of Claim 19 wherein the gene coding for a fluorescent protein is expressed in neural stem and progenitor cells.
- 5 22. The non-human transgenic mammal, progeny or embryo thereof of Claim 19 wherein the regulatory sequence includes a second intron sequence of the mammalian nestin gene.
23. The non-human transgenic mammal, progeny or embryo thereof of Claim 19 wherein the regulatory sequence further includes a promoter.
- 10 24. The non-human transgenic mammal, progeny or embryo thereof of Claim 23 wherein both the promoter and the regulatory sequence are obtained from the same mammalian nestin gene.
- 15 25. A method of obtaining primary, noncultured, multipotent stem and progenitor cells comprising isolating cells which express a marker/reporter protein from a non-human transgenic mammal, progeny or embryo thereof which has integrated into its genome DNA comprising a regulatory sequence of a mammalian nestin gene operably linked to a gene coding for the marker/reporter protein wherein the gene coding for the marker/reporter protein is expressed in multipotent stem and progenitor cells of the non-human transgenic mammal, progeny or embryo  
20 thereof.
26. A method of obtaining primary, noncultured, multipotent stem and progenitor cells comprising isolating fluorescent cells from a non-human transgenic mammal, progeny or embryo thereof which has integrated into its genome DNA

comprising a regulatory sequence of a mammalian nestin gene operably linked to a gene coding for a fluorescent protein wherein the gene coding for the fluorescent protein is expressed in multipotent stem and progenitor cells of the non-human transgenic mammal, progeny or embryo thereof.

- 5    27.    The method of Claim 26 wherein the gene coding for the fluorescent protein is selectively expressed in multipotent stem and progenitor cells of the non-human transgenic mammal, progeny or embryo thereof.
- 10    28.    The method of Claim 26 wherein the gene coding for the fluorescent protein is expressed in neural stem and progenitor cells of the non-human transgenic mammal, progeny or embryo thereof.
29.    The method of Claim 26 wherein the regulatory sequence comprises a second intron sequence of the mammalian nestin gene.
30.    The method of Claim 26 wherein the regulatory sequence further includes a promoter.
- 15    31.    The method of Claim 30 wherein both the promoter and the regulatory sequence are obtained from the same mammalian nestin gene.
32.    The method of Claim 26 further comprising identifying and/or isolating genes expressed in said isolated fluorescent cells.
- 20    33.    The method of Claim 26 further comprising identifying and/or isolating proteins expressed in said isolated fluorescent cells.



34. The method of Claim 26 further comprising identifying and/or isolating cell-specific surface antigens expressed on said isolated fluorescent cells.
35. The method of Claim 26 further comprising transplanting said isolated fluorescent cells into a live animal or a viable embryo.
- 5 36. The method of Claim 26 wherein fluorescent cells are isolated by fluorescent activated cell sorting.
37. A method for assessing a compound's ability to promote multipotent stem and progenitor cell differentiation, comprising:
- 10 (a) contacting live multipotent stem and progenitor cells, which have integrated into their genome DNA comprising a regulatory sequence of a mammalian nestin gene operably linked to a gene coding for a marker/reporter protein wherein the gene coding for the marker/reporter protein is expressed in multipotent stem and progenitor cells, with a compound to be assessed;
- 15 (b) determining a marker/reporter protein measurement of the live cells of a) in the presence of the compound; and
- (c) comparing the marker/reporter protein measurement of b) to the marker/reporter protein measurement of live control cells;
- 20 wherein a decrease or absence of marker/reporter protein measurement of the live cells in the presence of the compound compared to the marker/reporter protein measurement of the live control cells is indicative of the compound's ability to promote multipotent stem and progenitor cell differentiation.
38. The method of claim 37 wherein the marker/reporter protein is a fluorescent protein and the marker/reporter protein measurement is fluorescence.

39. The method of Claim 37 wherein the gene coding for a fluorescent protein is selectively expressed in multipotent stem and progenitor cells.
40. The method of Claim 38 wherein the gene coding for a fluorescent protein is expressed in neural stem and progenitor cells.
- 5 41. The method of Claim 37 wherein the compound is a therapeutic agent.
42. The method of Claim 37 wherein the differentiation is to neural stem and progenitor cells.
43. A method for assessing a compound's toxicity to multipotent stem and progenitor cells, comprising:
- 10 (a) contacting live stem and progenitor cells, which have integrated into their genome DNA comprising a regulatory sequence of a mammalian nestin gene operably linked to a gene coding for a marker/reporter protein, wherein the gene coding for the marker/reporter protein is expressed in multipotent stem and progenitor cells, with a compound to
- 15 be assessed;
- (b) determining live cells expressing the marker/reporter protein in the presence of the compound; and
- (c) comparing the live cells expressing the marker/reporter protein of b) to live, control cells expressing the marker/reporter protein;
- 20 wherein a decrease or absence of live cells expressing the marker/reporter protein in the presence of the compound compared to the live control cells expressing the marker/reporter protein is indicative of the compound's toxicity to multipotent stem and progenitor cells.

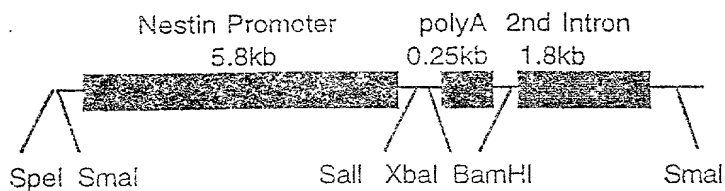
44. The method of Claim 43 wherein the marker/reporter protein is a fluorescent protein and cells expressing the marker/reporter protein are fluorescent cells.
45. The method of Claim 44 wherein the gene coding for a fluorescent protein is selectively expressed in multipotent stem and progenitor cells.
- 5 46. The method of Claim 44 wherein the gene coding for fluorescent protein is expressed in neural stem and progenitor cells.
47. A method for assessing a compound's ability to promote differentiation of totipotent cells into multipotent stem and progenitor cells, comprising:
- 10 (a) contacting live totipotent stem and progenitor cells, which have integrated into their genome DNA comprising a regulatory sequence of a mammalian nestin gene operably linked to a gene coding for a marker/reporter protein, wherein the gene coding for the marker/reporter protein is expressed in multipotent stem and progenitor cells;
- 15 (b) determining a marker/reporter protein measurement of the live cells of a) in the presence of the compound; and
- (c) comparing the marker/reporter protein measurement of b) to marker/reporter protein measurement of control cells;
- 20 wherein an increase of marker/reporter protein measurement in the presence of the compound compared to the marker/reporter protein measurement of control cells is indicative of the compound's ability to promote differentiation of totipotent cells into multipotent stem and progenitor cells.
48. The method of Claim 46 wherein the marker/reporter protein is a fluorescent protein and the marker/reporter protein measurement is fluorescence.



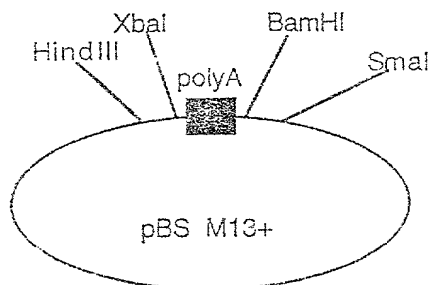
TRANSGENIC MICE EXPRESSING FLUORESCENT PROTEIN IN  
MULTIPOTENT STEM AND PROGENITOR CELLS

ABSTRACT OF THE DISCLOSURE

Non-human transgenic mammals are produced which have, incorporated in their  
5 genome, DNA which includes a regulatory sequence of a mammalian nestin gene,  
operably linked to a gene coding for a marker/reporter protein. The regulatory sequence  
can include a promoter and a sequence present in the second intron of the mammalian  
nestin gene. Preferably, the marker/reporter protein is a fluorescent protein, for example  
a green fluorescent protein, modified for enhanced fluorescence. Multipotent and, in  
10 particular, neural stem and progenitor cell populations are observed in the organs of the  
non-transgenic mammal or progeny thereof. Multipotent stem and progenitor cells are  
isolated directly from the non-human transgenic mammal, progeny or embryo thereof,  
for example by FACS, without culture passages.

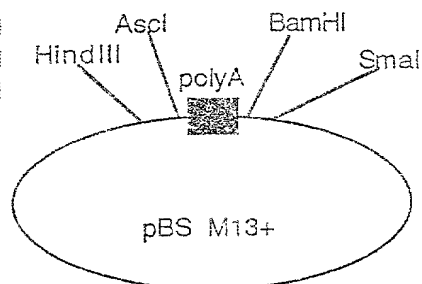


Digestion XbaI-BamHI  
purify 0.25kb polyA  
sequence  
Subcloned into pBS M13+

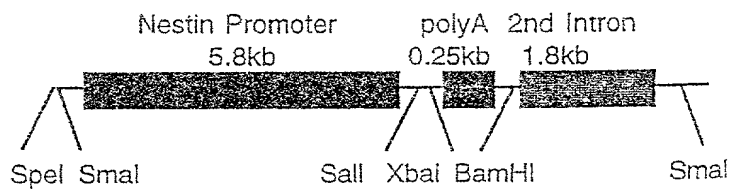
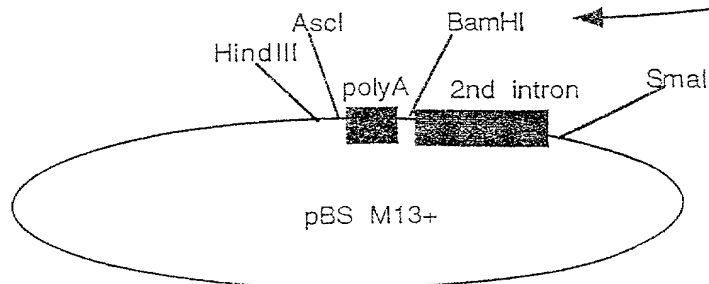


Digest pBS M13+  
XbaI-BamHI  
Ligate to the polyA

Digest and blunt end (Klenow)  
the XbaI site.  
Ligate in the AscI linker

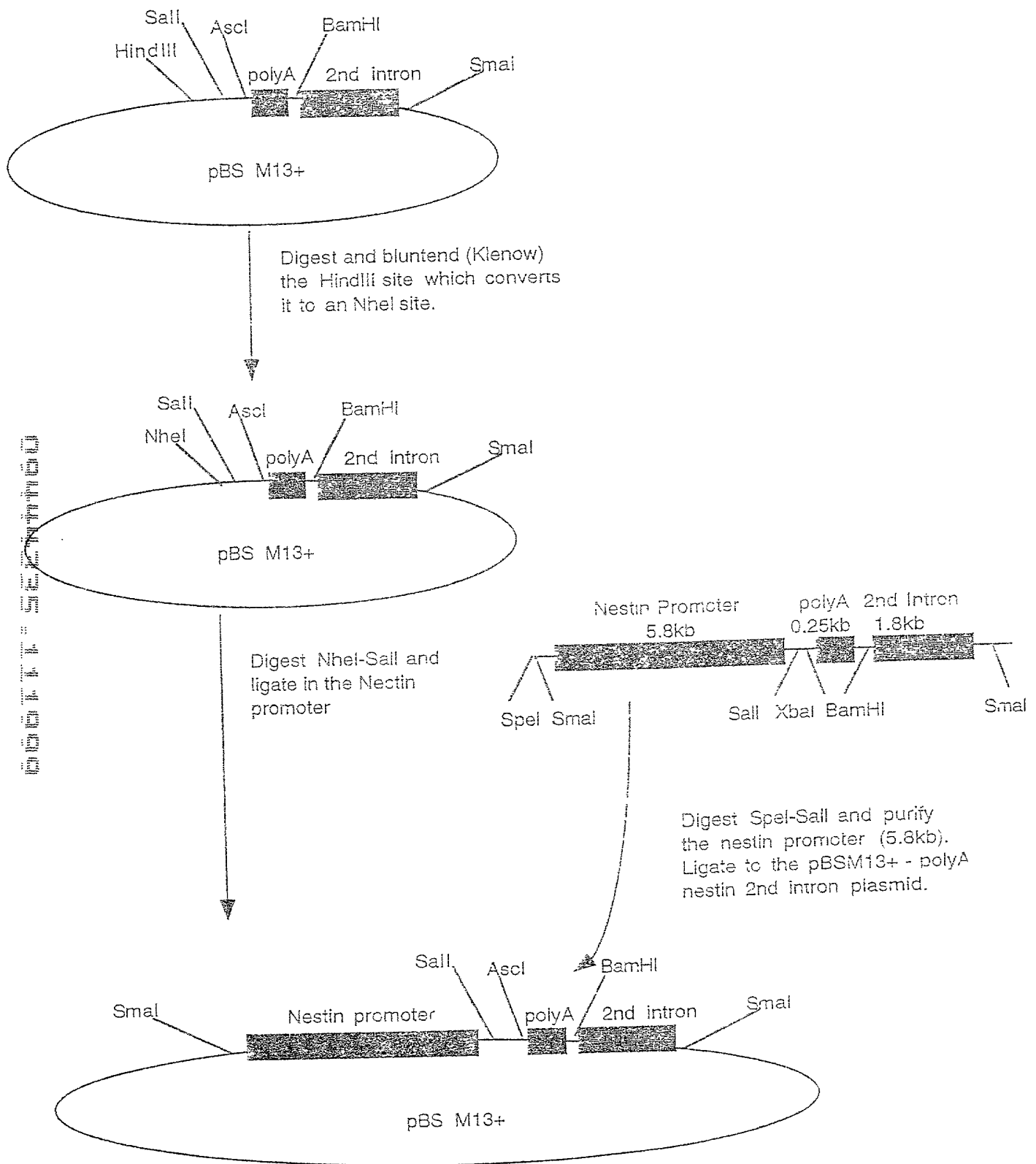


Digest BamHI-SmaI  
and ligate in the  
nestin 2nd intron



Digest BamHI-SmaI and purify  
the 1.8kb 2nd Intron band  
ligate to pBS M13+ with polyA

Figure 1A



**Figure 1B**

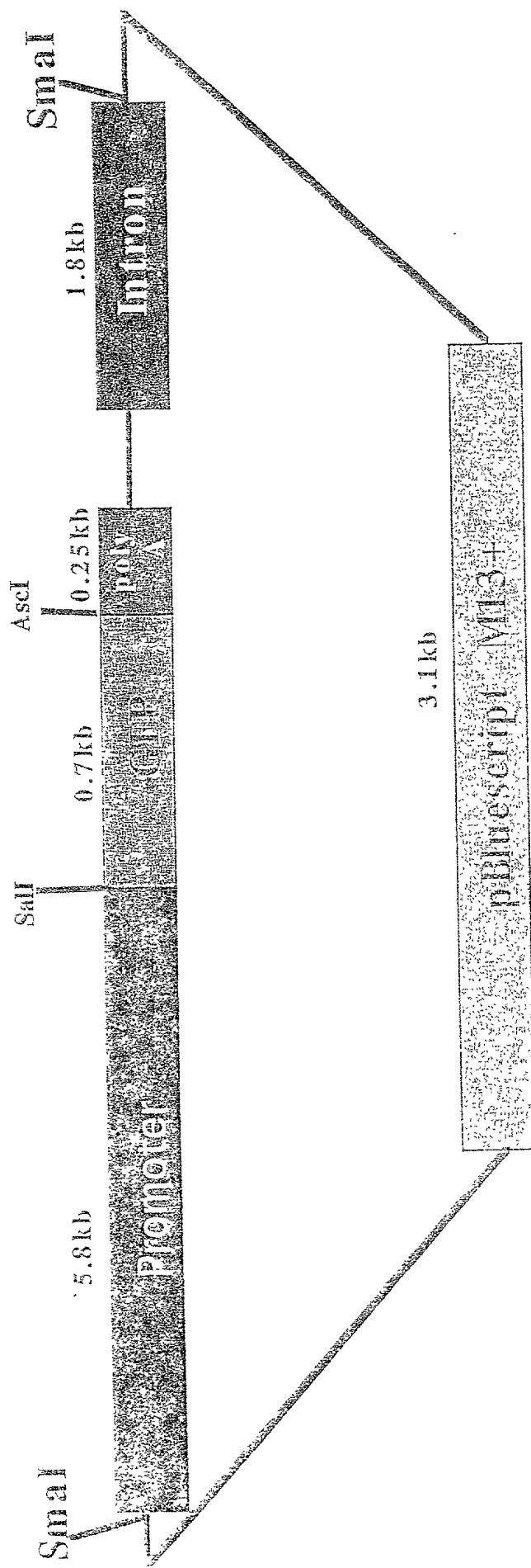


Figure 2



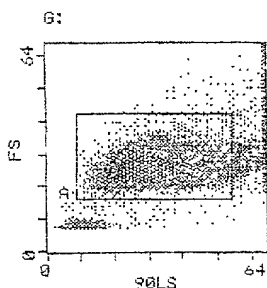


Figure 3A

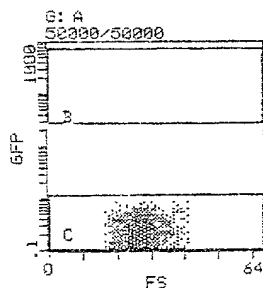


Figure 3B

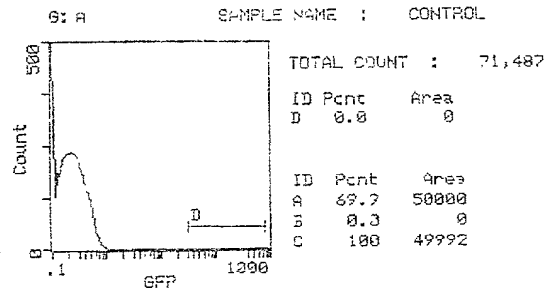


Figure 3C

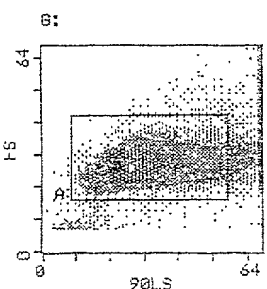


Figure 3D

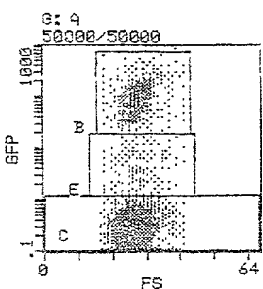


Figure 3E

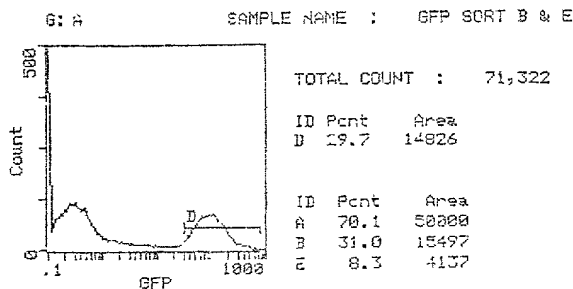


Figure 3F

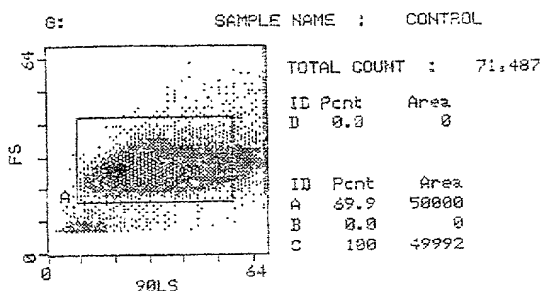


Figure 3G

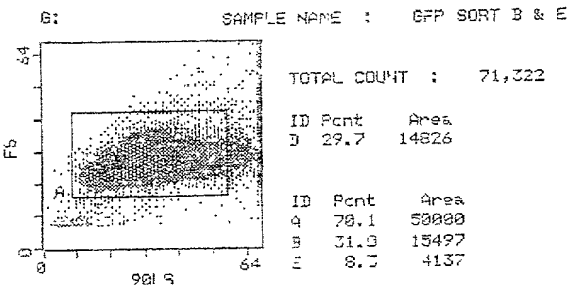


Figure 3H

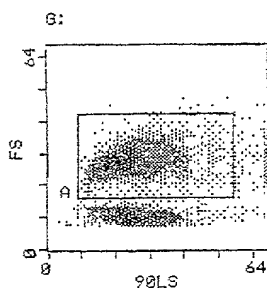


Figure 3I

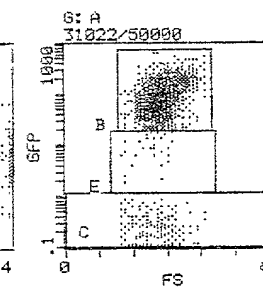


Figure 3J

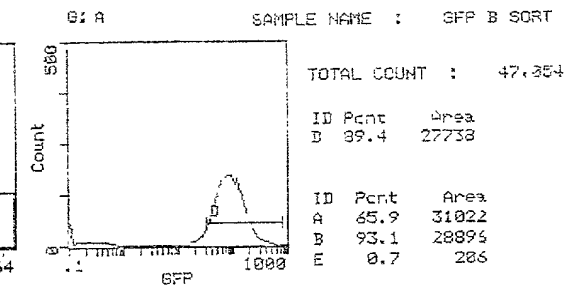


Figure 3K

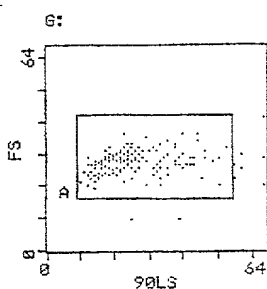


Figure 3L

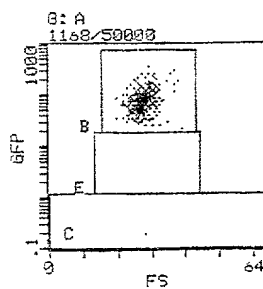


Figure 3M

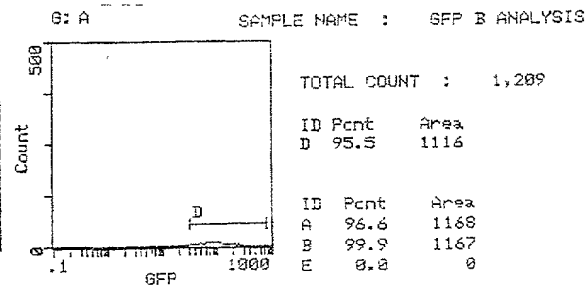


Figure 3N